

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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DAVIS INTERNATIONAL, LLC, HOLDEX,	:	
LLC, FOSTON MANAGEMENT, LTD, and	:	
OMNI TRUSTHOUSE, LTD,	:	
	:	
Plaintiffs,	:	
v.	:	Case No. 04-1482-GMS
	:	
NEW START GROUP CORP., VENITOM	:	
CORP., PAN-AMERICAN CORP., MDM	:	
BANK, URAL-GORNO METALURAGICAL	:	
COMPANY, EVRAZ HOLDING, MIKHAIL	:	
CHERNOI, OLEG DERIPASKA, ARNOLD	:	
KISLIN, MIKHAIL NEKRICH, and	:	
ISKANDER MAKMUDOV,	:	
	:	
Defendants.	:	
-----X	:	

**ORDER GRANTING DEFENDANTS' MOTION  
TO DISMISS THE COMPLAINT & TO ENJOIN  
PLAINTIFFS FROM RE-FILEING THIS ACTION**

WHEREAS, Defendants New Start Group Corp, Venitom Corp., MDM Bank, Ural-Gorno Metallurgical Company, Evraz Holding, Mikhail Chernoi, Oleg Deripaska, Arnold Kislin, Mikhail Nekrich and Iskander Makmudov (the "Defendants") moved to dismiss the complaint and to enjoin Plaintiffs from re-filing this action;

WHEREAS, the Court has considered the briefs submitted by Plaintiffs and Defendants and/or heard from counsel.

**IT IS HEREBY ORDERED** this \_\_\_\_ day of \_\_\_\_\_, 2005 that Defendants' motion is **GRANTED**.

\_\_\_\_\_  
The Honorable Gregory M. Sleet